


This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: November 1, 2016




Guy R. Humphrey
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

In Re:	:	Case No. 16-32571
	:	
RENARD L. JAMES,	:	Chapter 13
	:	
Debtor.	:	Judge Guy R. Humphrey

**AGREED ORDER STRIKING SPECIAL PLAN PROVISION
AFFECTING U.S. DEPARTMENT OF EDUCATION STUDENT LOANS**

UPON AGREEMENT OF THE DEBTOR AND THE UNITED STATES DEPARTMENT OF EDUCATION (USDOE), and pursuant to the holding in *In re Jordan*, 2016 Bankr. LEXIS 3263, **9-10, *23, 555 B.R. 636 (Bankr. S.D. Ohio 2016), the following special provision at Paragraph 19.1 is hereby stricken from the Chapter 13 Plan (Doc. 7) in this case:

The student loan creditor(s), US Department of Education and Great Lakes Educational Loan Services, shall be permanently enjoined from charging late fees, collection fees or any other penalties based solely upon its pro rata Chapter 13 Plan distributions being less than minimum monthly payment it would otherwise be contractually entitled to during the life the Chapter 13 Plan.

This Order encompasses *only* the foregoing special provision affecting student loans held by USDOE and is not applicable to any other provision or to any other creditor set forth in Paragraph 19 of the Chapter 13 Plan.

IT IS SO ORDERED.

/s/Scott G. Stout/email auth. 11-1-16

Scott G. Stout #0016679
Attorney for Chapter 13 Trustee
131 N. Ludlow Street, Suite 900
Dayton, Ohio 45402-1161
Tel 937-222-8100 x 137
Fax 937-222-7383
Email: sgstout@dayton13.com

/s/Andrew Zeigler/email auth. 11-1-16

Andrew Zeigler #0081417
Kennel Zeigler LLC
1340 Woodman Drive
Dayton, OH 45432
937-252-2030
Fax : 937-252-9425
Email: andrew@kzlawohio.com

BENJAMIN C. GLASSMAN
United States Attorney

/s/Brandi M. Stewart

BRANDI M. STEWART (0082546)
Assistant United States Attorney
Attorney for Defendant USDOE
200 West Second Street, Suite 600
Dayton, Ohio 45402
Phone: (937) 225-2910
Fax: (937) 225-2564
Email: Brandi.Stewart@usdoj.gov

COPIES TO: FILING PARTIES

#